

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

CARBIDE INDUSTRIES, LLC,

Debtor.

Case No.: 6:14-bk-09894-KSJ
Chapter 11

***Expedited Hearing Requested on or
Before: September 4, 2014 or as soon
thereafter as possible***

***Estimated Time Needed for Hearing:
15 Minutes***

DEBTOR'S MOTION FOR AUTHORITY TO PAY AFFILIATE OFFICER SALARIES

The Debtor, Carbide Industries, LLC, moves for authority to pay affiliate officer salaries, and alleges:

1. The Debtor filed the petition in this case on August 28, 2014 (the "Petition Date").
2. The Debtor has 3 affiliate officers, only 2 of whom are compensated, John Parrish ("John") and Pamela Parrish, his wife ("Pam").
3. The Debtor is a Florida limited liability company. John and Pam are both managing members. John holds a 45% interest in the Debtor. Pam holds an 11% interest. The remaining 44% is held by Lorin Peterson who is not active in the business and who is not compensated.
4. John's job responsibilities are as follows:

John manages all areas of the Debtor's business, including sales, ordering inventory, supervising and managing assembly of products, scheduling deliveries, negotiating contracts, and managing installations.

5. Pam's job responsibilities are as follows:

Pam does all of the administrative work, reviewing contracts, insurance requirements for all jobs, and all bookkeeping activities such as accounts payable and accounts receivable. She initiates all wires with foreign suppliers and handles all incoming foreign shipments and all trucking of incoming shipments. She reviews all shipments to the Debtor's customers. Pam supervises customer draws and handles correspondence with all customers. She does all HR for the Debtor's employees, hiring and firing, payroll and installer weekly pay vouchers. She handles all vendor accounts. She also supervises production and manages the warehouse when John is out at job sites or out of the country.

6. John does not have a written employment agreement with the Debtor. During the 12 months before bankruptcy, he earned \$6,501.92 bi-weekly. Deductions include federal income tax (\$1,491.30), Social Security (\$403.12), and Medicare (\$94.28). The Debtor provides no benefits.

7. Pam does not have a written employment agreement with the Debtor. During the 12 months before bankruptcy, she earned \$3,269.23 bi-weekly. Deductions include federal income tax (\$598.32), Social Security (\$202.69), and Medicare (\$47.40). The Debtor provides no benefits.

8. Neither John nor Pam performs services for any third party for which they receive compensation, and neither receives nor will receive compensation from any source other than the debtor-in-possession after the Petition Date.

9. The Debtor proposes to pay John a salary of \$6,501.92 bi-weekly without benefits.

10. The Debtor proposes to pay Pam a salary of \$3,269.23 bi-weekly without benefits:

11. Amounts to be withheld from John's salary, including all applicable payroll taxes and related benefits, are as follows: federal income tax (\$1,491.30), Social Security (\$403.12), and Medicare (\$94.28).

12. Amounts to be withheld from Pam's salary, including all applicable payroll taxes and related benefits, are as follows: federal income tax (\$598.32), Social Security (\$202.69), and Medicare (\$47.40).

13. The Debtor requests authority to compensate John and Pam *nunc pro tunc* to the petition date.

14. The Debtor further requests authority to pay John and Pam amounts earned during the 2 days prior to the petition, as follows:

John: \$1,625.48 less federal income tax (\$190.60), Social Security (\$100.78), and Medicare (\$23.57) resulting in net pay of \$1,310.53.

Pam: \$817.30 less federal income tax (\$69.37), Social Security (\$50.68), and Medicare (\$11.85) resulting in net pay of \$685.40.

WHEREFORE, the Debtor requests authority to pay affiliate officer salaries, together with applicable taxes and benefits, as described above, *nunc pro tunc* to the Petition Date and for the 2 days prior to bankruptcy.

/s/ Peter N. Hill

Peter N. Hill

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CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2014, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system; and furnished a copy by first class mail U.S., postage prepaid to (a) all non-filers on the Local Rule 1007-2 Parties-in-interest list as shown on the list attached; and (b) to BankFIRST c/o Jon E. Kane, Esq., Burr & Forman LLP, 200 S. Orange Ave., Suite 800, Orlando, FL 32801-6404.

/s/Peter N. Hill

Peter N. Hill

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